

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FLORICA BULIGA,

Plaintiff,

-against-

B.M.W. Corp.,

Defendant.

23-cv-11245 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

The pro se plaintiff brought this action on December 28, 2023. ECF No. 1. Pursuant to Rule 4(c)(1) of the Federal Rules of Civil Procedure, "[t]he plaintiff is responsible for having the summons and complaint served" on the defendant "within the time allowed by Rule 4(m)." Fed. R. Civ. P. 4(c)(1). In appropriate cases, Rule 4(f) displaces Rule 4(m) and sets forth procedures for serving an individual in a foreign country. Fed. R. Civ. P. 4(f).

The relevant procedural history follows. On November 1, 2024, following several prior extensions, the Court extended the time to serve the summons and complaint to December 13, 2024. ECF No. 12. The Court also warned that if service is not made by December 13, 2024, the case will be dismissed without prejudice for failure to prosecute. Id.

On December 11, 2024, the plaintiff filed two documents labeled "Affidavit of Service." ECF Nos. 13 & 14. The two

documents show that the plaintiff attempted to serve the defendant by United States Postal Service, ECF No. 13, and DHL courier, ECF No. 14. However, the documents filed by the plaintiff on December 11, 2024, do not make clear that the defendant was served properly with the summons and complaint in accordance with Rule 4 of the Federal Rules of Civil Procedure.

Because it is plain that the pro se plaintiff has attempted to serve the defendant, the time to serve the summons and complaint is extended to **February 28, 2025**. If the plaintiff fails to serve the defendant by **February 28, 2025**, and even if there are additional unsuccessful service attempts, the case **will be dismissed without prejudice** for failure to prosecute.

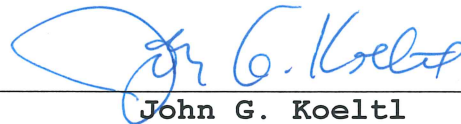
The Court notes that there is a Pro Se Law Clinic available to assist self-represented parties in civil cases. The Clinic may be able to provide a pro se party with advice in connection with the party's case. The Clinic may be able to assist the plaintiff with advice in connection with service of the summons and complaint. The Pro Se Law Clinic is run by a private organization called the City Bar Justice Center ("CBJC"); it is not part of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any self-represented party through the Pro Se Intake Unit). Litigants in need of legal assistance should

complete the CBJC's intake form to make an appointment. If a litigant has questions about the intake form or needs to highlight an urgent deadline already disclosed in the form, the clinic can be contacted by phone (212-382-4794) or email (fedprosdny@nycbar.org). In-person appointments in the Thurgood Marshall Courthouse in Manhattan and the Charles L. Brieant Jr. Federal Building and Courthouse in White Plains are available Monday through Thursday, 10 a.m. to 4 p.m., Eastern Time. Appointments are also available remotely Monday through Friday, 10 a.m. to 4 p.m., Eastern Time. The CBJC's flyer is enclosed.

The Clerk is directed to mail this Order and the enclosure to the plaintiff.

SO ORDERED.

**Dated: New York, New York
December 16, 2024**



**John G. Koeltl
United States District Judge**

FEDERAL PRO SE LEGAL ASSISTANCE PROJECT

in the Southern District of New York (SDNY)



ABOUT THE PROJECT

The Federal Pro Se Legal Assistance Project provides limited assistance to self-represented litigants (plaintiffs and defendants) with cases involving civil legal matters in the United States District Court for the Southern District of New York (SDNY).

This project assists plaintiffs and defendants on a variety of federal legal issues, including, among others, civil rights, employment discrimination, and disability discrimination. The team also assists incarcerated individuals with civil (non-criminal) claims.

HOW WE HELP

Fed Pro provides limited assistance through full-time attorneys, legal support team members, pro bono (volunteer) attorneys, law school/college interns, and a social work team. **While we cannot provide full representation**, Fed Pro can assist litigants by providing limited-scope services such as:



Counseling about potential federal claims prior to filing suit



Consulting on discovery matters



Interpreting and explaining federal law and procedure



Assisting with the settlement process (including mediation)



Reviewing drafted pleadings and correspondence with the Court

HOW TO ACCESS OUR SERVICES



For assistance, please complete the online form located on our website, <https://www.citybarjusticecenter.org/projects/federal-pro-se-legal-assistance-project/>.

If you are not able to complete the form, or you have questions about the form, please call (212) 382-4794. Please leave a message and wait for us to call you back.